

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES CURTIS KERN,
Plaintiff,

v.

A.F. ALPHONSO,
Defendant.

Case No. 1:24-cv-00827-KES-CDB (PC)

ORDER GRANTING REQUEST TO
PROCEED *IN FORMA PAUPERIS*

(Doc. 8)

ORDER DIRECTING PAYMENT OF
INMATE FILING FEE BY CALIFORNIA
DEPARTMENT OF CORRECTIONS
AND REHABILITATION

Plaintiff James Curtis Kern (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action filed under 42 U.S.C. § 1983. (Doc. 1). Plaintiff has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 and has made the showing required by subsection 1915(a). (Doc. 8). Accordingly, the request to proceed *in forma pauperis* is GRANTED.

Plaintiff is obligated to pay the statutory filing fee of \$405.00 for this action and to make monthly payments in the amount of twenty percent (20%) of the preceding month’s income credited to Plaintiff’s trust account. 28 U.S.C. § 1915(b)(1). The California Department of Corrections and Rehabilitation is required to send to the Clerk of the Court payments from Plaintiff’s account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

Accordingly, it is hereby ORDERED:

1. Plaintiff's application to proceed *in forma pauperis* (Doc. 8) is GRANTED;

2. **The Director of the California Department of Corrections and Rehabilitation or his or her designee shall collect payments from Plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to the prisoner's trust account and shall forward those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$405.00 has been collected and forwarded to the Clerk of the Court. The payments shall clearly identify the name and number assigned to this action.**

3. The Clerk of the Court is directed to serve a copy of this order and a copy of Plaintiff's *in forma pauperis* application on the Director of the California Department of Corrections and Rehabilitation via the Court's electronic case filing system (CM/ECF).

4. The Clerk of the Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California.

IT IS SO ORDERED.

Dated: August 22, 2024


UNITED STATES MAGISTRATE JUDGE